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Docket 17510DIV2(BOT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Donovan

Examiner: V. Ford

Serial Number: 10/675,172

Art Unit: 1645

Filed: September 29, 2003

For: TRANSDERMAL BOTULINUM  
TOXIN ADMINISTRATION

Irvine, California

**TRANSMITTAL LETTER**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please find enclosed with regard to the above-identified pending U.S. patent application: (1) a 2 page response to the April 25, 2005 Office Action in the above-identified patent application; (2) a 2 page set of amended claims; (3) this two page Transmittal Letter, and; (4) a return postcard.

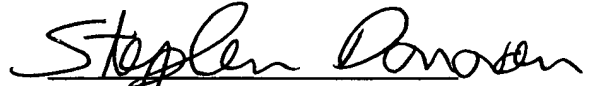
**CLAIMS AS FILED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	09	20	= 0 x	\$50.00	= \$0.00
Independent Claims	01	03	= 0 x	\$200.00	= \$0.00
If application has been amended to contain multiple dependent claim(s), then add			0	\$ 360.00	= \$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>

The Commissioner is hereby authorized to charge any fees required or necessary for the filing, processing or entering of this paper or any of the enclosed papers, and to refund any overpayment, to deposit account 01-0885.

Respectfully Submitted,

Date: May 24, 2005

  
Stephen Donovan  
Registration Number 33,433

Please direct all inquiries and correspondence to:

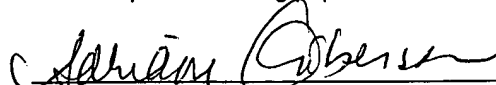
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**CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. §1.10**

I hereby certify that this Transmittal Letter, the Response to Office Action and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date MAY 25, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label number EV979999594US addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Adriane Giberson

Name of person mailing paper

  
Signature of person signing paper

Date: May 25, 2005



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**RESPONSE TO OFFICE ACTION**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The April 25, 2005 office action (the "Office Action") in this application requested applicant to restrict to one of Group I (claims 22-30) and Group II (claims 31-35).

Applicant elects Group I, claims 22-30, with traverse on the basis that all of claims 22-35 are limited to methods for using a botulinum toxin, hence a single search should suffice to search all the claims.

The non-elected claims 31-35 are hereby cancelled without prejudice to further prosecution at a later date.